IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF MARCH
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE SRI JUSTICE BILAL NAZKI

and
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No.2009 of 2006

Between:

M/S.Zuari Cement Limited,Krishna Nagar,

Yerraguntla, Kadapa, rep. By its Authorised Signatory,

Shri Gopal K.Maheshwari.

..... PETITIONER

AND

Commissioner of industries,

Government of Andhra Pradesh,

Chirag Ali Lane,

Hyderabad – 500 001.

.....RESPONDENTS

ORDER: ***(Per Hon'ble Sri Justice Bilal Nazki,)***

Heard learned Counsel for the parties.

In this Writ Petition, a Revised Final Eligibility Certificate issued on 05-09-2005 is challenged on the ground that the original Certificate which was issued on 10-04-2001, had taken the base production-quantity turn over at 5,64,700 MTs whereas the Revised Certificate takes the base production-quantity turn over in terms of value at Rs.137,77,02,000/- (Rupees one hundred and thirty seven crores seventy seven lakhs and two thousand only). This Revised Certificate is purported to have been issued in terms of G.O.Ms.No.75 Ind. & Com. (IP) Dept., dated 14-03-1996, whereas the earlier certificate was issued in terms of G.O.Ms. No.108 Industries and Commerce (IP) Department, dated 20-05-1996.

Whether G.O.Ms.No.75 Ind. & Com. (IP) Dept., dated 14-03-1996, could be given effect to or not is the question, which is sought to be raised in this Writ Petition.

It is submitted by learned Counsel for the parties that this question is no longer a *res integra*, and had already been decided by a Division Bench of this Court in a judgment reported in ***Orient Cement, Devapur and others vs. State of A.P., and others***.

We have gone through the said judgment. We are of the view that the controversies raised in this Writ Petition are fully covered by the judgment cited supra.

Therefore, the Writ Petition is allowed and the Revised Final

Eligibility Certificate in file No.30/3/2004/0908/0908/Id, dated 05-09-2005, is quashed. No costs.

(Bilal Nazki, J)

7th March, 2006

(G.Chandraiah, J)

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